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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			EXAMINER LEE, ANDREW CHUNG CHEUNG	
			ART UNIT 2616	PAPER NUMBER

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,729

Applicant(s)

PARK ET AL.

Examiner

Andrew C. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-14 and 16 is/are rejected.
- 7) ☒ Claim(s) 7 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 12 is objected to because of the following informalities:

Line 8 of the claim should be ended with a period.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 11, 3, 8, 9, 13, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. (US 6721555 B1) in view of Resuta (US 2003/0031302 A1).

Regarding claims 1, 4, 11, Phillips et al. disclose the limitation of a verification system (Fig. 1, element 18) for a packet call processing operation of a mobile telephone (Fig. 1, element 14, MT2, recited "MT2 device includes a wireless phone", column 3, lines 53 – 54), the verification system comprising: a terminal (Fig. 1, element 12 TE2, recited TE2 device includes a computer, such as a laptop computer, column 3, lines 54 – 55) for transmitting a packet call control signal to the mobile telephone to establish a packet call for communication of packets with the mobile telephone (recited "TE2 device 12 (computer or laptop) includes a PPP_{TE2} stack for the R_m interface" as transmitting a packet call control signal to the mobile telephone, column 5, lines 3 – 4), generating an internet protocol packet after establishment of the packet call,

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transmitting the internet protocol packet to the mobile telephone (Fig. 4, recited “PPP or IP packet” between elements 12 mobile computing device and element 14 wireless modem), and determining data processing characteristics of the mobile telephone based on a response packet received from the mobile telephone (column 5, lines 19 – 25, column 6, lines 7 – 14); and for receiving the packet call control signal from the mobile telephone to verify the packet call processing operation between the terminal and the mobile telephone (Fig. 4, recited “PPP or IP packet” at U_m and L interface, “CHAP response), and transmitting the internet protocol packet received from the mobile telephone to an external network and transmitting a corresponding response packet received from the external network to the mobile telephone (Fig. 4, recited “PPP or IP packet”), thereby enabling the mobile telephone to transmit the corresponding response packet to the terminal (recited “a second PPP_{RM} link is established between MT2 device and the TE2 device via the PPP_{TE2} and PPP_{MT2} protocol stack, Fig. 4, column 5, lines 16 – 18). Phillips et al. do not disclose expressly a packet service simulator. Resuta discloses the limitation of a packet service simulator (Fig. 1, element 160, call agent simulator as a packet service simulator, page 2, column 1, paragraph [0020]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Phillips et al. to include a packet service simulator such as that taught by Resuta in order to provide a method and associated apparatus for providing call agent simulation for testing or verifying telephone system operation (as suggested by Resuta, see page 1 column 1, paragraph [0007]).

Regarding claim 3, Phillips et al. disclose the limitation of the verification system as claimed in claimed wherein the mobile telephone is linked to the packet service simulator via a local area network (LAN), the packet service simulator being linked to the external network (Fig.

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1, recited “place a call through the MT2 device 14 to a different communications devices such as an application service connected to the PSTN, or to an Internet Service Provider (ISP) associated with IWF and Internet’, associated with IWF and Internet’ as packet service simulator being linked to the external network (Internet)).

Regarding claim 8, Phillips et al. disclose the limitation of the verification system as claimed in claimed wherein the terminal is linked to the mobile telephone via a universal serial bus (USB) (recited “ the R_M link such as Universal Serial Bus (USB), column 7, lines 41 – 44).

Regarding claims 9, 13, Phillips et al. disclose the limitation of the verification system as claimed in claimed wherein the terminal communicates packets with the mobile telephone according to a point-to-point protocol (PPP) (recited “ system adapted for use with Point-to-Point Protocol (PPP), column 3, lines 21 – 22).

Regarding claim 16, Phillips et al. discloses the limitation of the verification method as claimed in claimed wherein the mobile telephone is linked to the packet service simulator (recited “IFW”) via a local area network (LAN) (Fig. 1, recited “place a call through the MT2 device 14 to a different communications devices such as an application service connected to the PSTN, or to an Internet Service Provider (ISP) associated with IWF and Internet’, associated with IWF and Internet’ as packet service simulator being linked to the external network (Internet) and to the terminal via a universal serial bus (USB) (recited “ the R_M link such as Universal Serial Bus (USB), column 7, lines 41 – 44).

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4. Claims 2, 5, 6, 14, 10, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. (US 6721555 B1) and Resuta (US 2003/0031302 A1) as applied to claims 1, 4, 11, 3, 8, 9, 13, 16 above, and further in view of Maurer (US 70060963 B1).

Regarding claim 2, Phillips et al. and Resuta do not disclose expressly the system as claimed in claimed wherein an internet protocol address is individually assigned to the terminal, the mobile telephone, and the packet service simulator. Maurer discloses the limitation of the system as claimed in claimed wherein an internet protocol address is individually assigned to the terminal, the mobile telephone, and the packet service simulator (recited “each client is equipped with an identifier unique to the client” an identifier as an internet protocol address, column 8, lines 21 – 27; column 12, lines 32 – 36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Phillips et al. and Resuta to include a system as claimed in claimed wherein an internet protocol address is individually assigned to the terminal, the mobile telephone, and the packet service simulator such as that taught by Maurer in order to provide a simulation method and system for testing computer networks, and more particularly to a method and system for simulating clients workstations at protocol stack level 2, the data link layer, in the layered network protocols (as suggested by Maurer, see column 1, lines 18 – 22).

Regarding claim 5, Phillips et al. discloses the limitation of the verification system (recited as IWF) as claimed in claimed wherein the packet service simulator comprises: a packet transmitter for transmitting data having an internet protocol address of the terminal to the external network in an Ethernet packet format (Fig. 3, element 70, U_m interface transceiver as packet transmitter, column 9, lines 4 – 13); and a packet receiver for receiving a the

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corresponding response packet destined for the internet protocol address of the terminal from the external network and transmitting the corresponding response packet it to the mobile telephone (Fig. 3, element 16, reverse Link U_m interface packet relaying system as packet receiver, column 9, lines 4 – 13), thereby enabling the mobile telephone to transfer the corresponding response packet to the terminal (column 9, lines 13 – 17). Phillips et al. do not disclose expressly a packet service simulator. Resuta discloses the limitation of a packet service simulator (Fig. 1, element 160, call agent simulator as a packet service simulator, page 2, column 1, paragraph [0020]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Phillips et al. to include a packet service simulator such as that taught by Resuta in order to provide a method and associated apparatus for providing call agent simulation for testing or verifying telephone system operation (as suggested by Resuta, see page 1 column 1, paragraph [0007]).

Regarding claims 6, 14, Phillips et al. discloses the verification system, and Resuta discloses the wherein the packet service simulator. Phillips et al. and Resuta do not disclose expressly the system as in claimed receives the corresponding response packet destined for the Internet protocol access of the terminal in response to an address resolution protocol (ARP) request for the internet protocol address of the terminal, sent from the external access network, using its physical address. Maurer discloses the limitation of the system as in claimed receives the corresponding response packet destined for the Internet protocol access of the terminal in response to an address resolution protocol (ARP) request for the internet protocol address of the terminal, sent from the external access network, using its physical address (recited maintains an ARP cache for each simulated client “ as for the Internet protocol access of the terminal in response to an

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address resolution protocol (ARP) request for the internet protocol address of the terminal ,column 11, lines 31 – 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Phillips et al. and Resuta to include the system as in claimed receives the corresponding response packet destined for the Internet protocol access of the terminal in response to an address resolution protocol (ARP) request for the internet protocol address of the terminal, sent from the external access network, using its physical address such as that taught by Maurer in order to provide a simulation method and system for testing computer networks, and more particularly to a method and system for simulating clients workstations at protocol stack level 2, the data link layer, in the layered network protocols (as suggested by Maurer, see column 1, lines 18 – 22).

Regarding claim 10, Phillips et al. discloses the limitation of the verification system as claimed, however, Phillips et al. and Resuta do not disclose expressly the system as claimed in claimed wherein a physical layer of the mobile telephone comprises an Ethernet, and a media control layer of the mobile telephone is modified into a module for supporting the Ethernet. Maurer discloses the limitation of the system as claimed in claimed wherein a physical layer of the mobile telephone comprises an Ethernet, and a media control layer of the mobile telephone is modified into a module for supporting the Ethernet (recited “ IEEE 802.2 “ as Ethernet, “MACID” as media control layer; Fig. 4, column 3, lines 57 – 67, column 4, lines 46 – 52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Phillips et al. and Resuta to include the system as claimed in claimed wherein a physical layer of the mobile telephone comprises an Ethernet, and a media control layer of the mobile telephone is modified into a module for supporting the Ethernet such as that taught by

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Maurer in order to provide a simulation method and system for testing computer networks, and more particularly to a method and system for simulating clients workstations at protocol stack level 2, the data link layer, in the layered network protocols (as suggested by Maurer, see column 1, lines 18 – 22).

Regarding claim 12, Phillips et al. disclose the verification system, and Resuta discloses the wherein the packet service simulator. However, Phillips et al. and Resuta do not disclose expressly the limitation of the verification method as claimed in claimed further comprising: assigning an internet protocol address individually to the terminal, the packet service simulator and the mobile telephone; and the packet service simulator broadcasting an address resolution protocol (ARP) packet, including an internet protocol address of the terminal and a physical address of the simulator, to the external network and recording it on a gateway for connection to the external network so as to receive a packet having the address of the terminal. Maurer discloses the limitation of assigning an internet protocol address individually to the terminal, the packet service simulator and the mobile telephone (recited “each client is equipped with an identifier unique to the client” an identifier as an internet protocol address, column 8, lines 21 – 27; column 12, lines 32 – 36), and the packet service simulator broadcasting an address resolution protocol (ARP) packet, including an internet protocol address of the terminal and a physical address of the simulator, to the external network and recording it on a gateway for connection to the external network so as to receive a packet having the address of the terminal (recited maintains an ARP cache for each simulated client “ as for the Internet protocol access of the terminal in response to an address resolution protocol (ARP) request for the internet protocol address of the terminal ,column 11, lines 31 – 40). It would have been obvious to one of ordinary

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skill in the art at the time the invention was made to modify Phillips et al. and Resuta to include the verification method as claimed in claimed further comprising: assigning an internet protocol address individually to the terminal, the packet service simulator and the mobile telephone; and the packet service simulator broadcasting an address resolution protocol (ARP) packet, including an internet protocol address of the terminal and a physical address of the simulator, to the external network and recording it on a gateway for connection to the external network so as to receive a packet having the address of the terminal such as that taught by Maurer in order to provide a simulation method and system for testing computer networks, and more particularly to a method and system for simulating clients workstations at protocol stack level 2, the data link layer, in the layered network protocols (as suggested by Maurer, see column 1, lines 18 – 22).

Allowable Subject Matter

5. Claims 7,15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1 – 16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL

May 12, 2003


RICKY Q. NGO
SUPERVISORY PATENT EXAMINER